



Town of Southern Shores

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Town of Southern Shores
Joint Council/Planning Board Meeting
June 11, 2009
12:00 P.M.-Pitts Center

The Southern Shores Town Council met with the Southern Shores Planning Board on June 11, 2009 at the Pitts Center.

The following Council Members were present: Mayor Don Smith, Brian McDonald, Jodi Hess, Kevin Stroud and Jim Pfizenmayer. The following Planning Board Members were present: Nancy Wendt, chair, Bob Palombo, Mike Florez, Larry Lawhon, alternate, Bill Gleason, alternate and Ed Overton, ETJ representative with Jay Russell, vice chair absent with excuse. Also present: Charlie Read, town manager, Franz Koeleveld, Board of Adjustment chair, Police Chief Kole, Merrie Smith, executive assistant and Carrie Gordin, town clerk.

Mayor Smith called the meeting to order at 12:00 p.m. and turned the meeting over to Nancy Wendt.

Planning chairperson Wendt explained the meeting is not a meeting between council and planning board but the planning board acting as a planning department. She stated since the Town has no planner at this time and there are activities that need to be addressed, completing the Coastal Area Management Act (CAMA) Land Use Plan (LUP), the planning board took on this role beginning in December of 2008. The LUP was returned by CAMA with recommended changes which the planning board has worked on making corrections to the document. She stated council was provided a copy of recommendations on several planning topics at the June 2 council meeting and that is what will be discussed today.

[Clerk's Note: A copy of the Power Point presentation will be attached as Exhibit A].

Planning Board Rules of Procedure

Chairperson Wendt stated due to working with planning issues it was found their Rules of Procedure needed to be amended to include a second meeting a month. She stated the Planning Advisory Group (PAG) meets the first Monday of the month to hold public workshops and to work on long range planning activities and on the third Monday of each month the Planning Board meets to review permit applications and ordinance changes.

[Clerk's Note: Members of the PAG are members of planning board who chair specific committees or lead projects dealing with planning issues].

Coastal Area Management Act Land Use Plan (CAMA LUP)

Sam Williams stated the original plan submitted to CAMA was returned with eighty-two suggested corrections. He stated they requested a matrix but he found it to be difficult and he re-wrote the plan. He stated the steering committee and others found some additional needed corrections. He stated the maps (13) of which 4-5 will need to be corrected also. He stated this may require additional funding if the contracted planner-in-charge is unable

to complete the work. He submitted 4-5 goals and policy recommendations and asked council to provide comment within the next two weeks. The goal is have the plan submitted to CAMA by September. He stated the Coastal Resource Commission provides final approval. He stated if certain deadlines are not met the plan may not be finalized until 2010. He stated the plan is a five-year plan and if it is not finalized until 2010 it will be time to start over. He asked Council to contact him upon review of the plan to let him know they have no changes or they are in agreement with the plan recommendations.

Council Member McDonald asked why the planner didn't finish the plan.

N. Wendt stated CAMA changed the requirements for LUP in 2003 and available grant funds were reduced and at the time the town started the process only one bid was received. She stated the LUP has now been reformatted to meet state requirements.

Transportation/Cut-through Traffic

Bob Palombo stated safety is the first priority. He stated the town does have a seasonal problem with traffic but the problem is volume not speeding. He stated work should begin immediately on a master plan with a date to be determined for completion.

Mayor Smith stated there is the recommendation to lower the speed limit on NC12 from 45 mph to 35 mph. and this could be done just for the summer (May-Sept.). He stated he doesn't support this and that tailgating is the problem.

Police Chief Kole stated during a test drive it was found there is only a 1.3 minute difference between the two speeds. He stated a consideration for lowering the speed limit would allow the low speed vehicles to be used on NC12.

The Town Manager supports lowering the speed limit for safety's sake. It was stated there is an electronic device available that enables flashing lights to activate to alert drivers at crosswalks.

Council Member Hess stated she is not sure changing the speed limit will make a difference and she supports crosswalks at traffic lights only. She would like to see the others removed.

Police Chief Kole stated the last crosswalk put in by NCDOT, in front of the Triangle Park, is dangerous and no one discussed this with the police department before it was done.

The Town Manager stated NCDOT supports the placement of marked crosswalks and that they are beneficial.

Council Member Pfizenmayer supports lowering the speed limit on NC 12 in the summer months and drivers need to be more alert for pedestrians. He stated the tourists look for and use the crosswalks.

Council Member Stroud supports the use of low-speed vehicles. He is not sure changing the speed limit for a short period of time is the way to go. He stated there is an area in town that prevents the use of this type of vehicle and we should be looking at a way to allow them all the time.

Council Member Hess stated reducing the speed limit may increase cut-through traffic.

Council Member Stroud supports drafting and approving an ordinance to prohibit cut-through traffic as a test for six months and then review the outcome. If it is found to be baseless than rescind the ordinance. He would like to find a way to alleviate the 8,000-10,000 cars cutting through town. He would like to see the ordinance written to read no cut-through traffic on the weekends in the summer months and asked that we find out if DOT would allow placing no left turn signs at S. Dogwood Trail.

Chief Kole stated the ordinance can't be enforced. He stated it is his experience if you show DOT you are making an effort they may help.

Council Member Stroud stated if we need to pay for extra officer and it would reduce the traffic then why not do it.

The Town Manager stated no-through traffic signs have been posted. He stated an ordinance addressing no through trucks, buses and other heavy vehicles has been drafted and he would like to see it approved.

Council Member McDonald stated if we ask DOT for help with our traffic problems like cut-through traffic then they will make NC12 a three-lane and we don't want that. He stated we stopped them before but it is a matter of time before they address this again.

He asked what kind of message do we give to say don't drive through our town but leave us your money. He stated council agreed before to not put more ordinances on the books that couldn't be enforced.

Mayor Smith stated the number of vehicles is more like 4,000 cutting through town to go north and if they use NC12 the residents there will be impacted.

The Town Manager stated a weight ordinance has been drafted and he would like to see it approved.

Bill Gleason stated the PAG report addresses some of these issues and one recommendation is the use of multi-use paths.

N. Wendt stated the town's rights-of-way may be used and policies could be written regarding pedestrian safety. Chief Kole stated policies and standards when written apply to all areas.

Bob Palombo stated educating the people is a key factor.

Storm Water Management

N. Wendt stated Jay Russell is unable to be here today. Mike Torres reviewed the presented recommendations.

Dan Shields, member of the Storm Water committee, stated Council approved the storm water plan and they have not disbanded the committee. He stated there is no one solution for storm water and in the CIP it is incorporated that any road improvements will address storm water issues.

N. Wendt stated in speaking for Jay the approved plan was a set of policies and that a comprehensive plan would be written and should become part of the Land Use Plan. She stated some of those policies went to the transportation committee for review with the roads plan which is linked to the CIP.

Wireless Infrastructure

Larry Lawhon stated cellular service in town is poor. He stated currently telecommunication towers are only allowed in the commercial district. He provided recommendations from the Wireless committee.

Council Member Hess stated she has attended most wireless meetings and her concerns are the setback requirements and the potential use of certain areas for towers. She stated soil sampling is required to determine what type of tower could be used and what specifications would be required.

N. Wendt stated placement of a tower would be a conditional use and the need to be determined what zoning district could be used. She stated there may be a need to amend zoning districts. She stated a draft ordinance has been prepared using language for the current telecommunications ordinance.

She stated there are three areas for consideration: permitted or conditional use, safety, and what areas to allow towers. She stated we will need attorney input. She stated a 100% setback is mostly used for tower placement.

Mayor Smith asked if the committee is investigating with the different service providers on what they need. She stated yes the committee has met with different ones.

N. Wendt stated the town needs more tall towers (under 195') and she asked does the town want to address this up front or wait until the providers come in and place towers as needed.

Financial Planning

Bill Gleason provided a Statement of Work for council's consideration. He stated a lot of progress has been made over the last year since he became involved. The focus has been on roads and the canal dredging project has been left out since the town is still waiting for permits and spoil sites. He stated storm water is part of the road improvement. He stated council approved ten budget principals but a more rigorous process for financial planning is needed. Council should set the criteria for priority of projects. He stated he met with each council member and it has always been a pay as you go policy. He stated now is the time to dedicate money for CIP projects. He recommended reconstituting the plan and call them a planning committee using the same people and to include someone (Jay Russell) on storm water and to work in the fall on a more comprehensive plan once the status of the canal dredging is known. He recommended preparing a list of projects over a 5-7 year period showing on the projects will be funded.

The Town Manager stated it is great to have this committee who is willing to stay on.

N. Wendt stated it is important to make it clear to the citizen's of council's intent.

S. Williams stated it is important to find what level of service people want and at what cost.

Mayor Smith stated he would like to hear from the citizens if they still would want a specific service, like chipping, if they knew the actual costs.

Council Member Hess stated discussion has been held before on how to poll the citizens. They can be reached by email using specific software.

B. Gleason stated it would be beneficial to show capital expenses side-by-side with operating expenses that would show the cost of street repairs and chipping service. The citizen would then need to choose which is more important.

Council Member McDonald stated financing a big project like Chicahauk Trail improvements means a tax rate increase do the people want to do that.

Everyone agreed the town needs to get better input from the citizens.

Public Comment

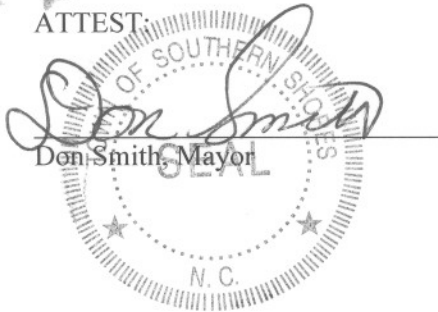
Tom Welch, 17 Skyline Road, stated he does long range planning for a living and this was a great presentation. He stated it would cost the town over \$100,000 to get this kind of product. He stated the lack of long range planning comes at a cost which shows we need a plan.

N. Wendt summarized by asking Council to submit their comments on the recommendations provided to the planning department and to decide how we will get the information to the citizens.

Council discussed what recommendations they would address first and when. It was decided agenda items 1 (Rules of Procedure), 2 (CAMA LUP) and 7 (Financial Planning Statement of Work) would be addressed at the June 23 council meeting. Agenda item 4 (Cut-through traffic) and 6 (Wireless Infrastructure) would be placed on the July 7 council meeting and agenda items 3 (Transportation) and 5 (Storm water Management) would be addressed at the July 28 council meeting.

Hearing no other business Mayor Smith thanked everyone for attending and adjourned the meeting at 2:05 p.m.

ATTEST:



Respectfully submitted:


Carrie Gordin, Town Clerk

Exhibit A

Power Point Presentation Presented by
Planning Board / Planning Advisory Group

Agenda

1. Rules of Procedure
2. CAMA LUP
3. Transportation
4. Cut Through Traffic
5. Stormwater Management
6. Wireless Infrastructure
7. Financial Planning

Planning Board / Planning Advisory Group

Rules of Procedure Recommendation

1. Findings:

- a. Reviewing permits/ordinances is a different type of work than committee/project work; best to focus on one at a time
- b. 1st Monday of the month
 - Public Workshops on planning topics
 - Planning Advisory Group working sessions
- c. 3rd Monday of the month
 - Review permit applications
 - Review proposed ordinances & amendments

2. Recommendation:

- a. Revise Planning Board Rules of Procedure to reflect new meeting schedule effective immediately

Planning Board / Planning Advisory Group

CAMA LUP Recommendations

1. Findings:

- a. NC –DNR requested 82 corrections / changes to LUP DRAFT
- b. The LUP Steering Committee and PAG identified additional errors, omissions & mis-statements

2. Recommendations:

- a. Adopt revised goals, policies & action items & use the corrected DRAFT as basis for the Futures Section
- b. Correct & complete required mapping work (work with Earth-Tech or another consultant)
- b. Complete reviews & approvals. Target milestones are:
 - Revised LUP to DNR Sept 2009

- TOSS Public Hearing Sept 2009
- Town approved LUP to CRC Oct 2009
- Town adoption of CRC approved LUP Nov 2009

Planning Board / Planning Advisory Group

Transportation Recommendations

1.Findings:

- a.Pedestrian safety is an issue at crosswalks and on class 1 roads that were not built to carry seasonal traffic volumes & that do not have pathways or adequate pedestrian safety zones
- b.Seasonal problems are caused by increased volume not by speeding
- c.Increased use of low speed vehicles could add to public safety issues
- d.Lack of transportation policies & standards results in inconsistent decisions

2.Recommendations:

- a.Adopt proposed policies, road classification system & standards
- b.Incorporate Federal, NC & NHTSA standards for low speed vehicles into TOSS ordinance
- c.Require all roadway & pathway projects to comply with policies & standards
- d.Evaluate pedestrian safety zones for all class 1 roadways & propose corrective actions
- e.Create a Master Plan (design or blueprint) for an interconnected network of multi-use pathways

Planning Board / Planning Advisory Group

Cut -Through Traffic Recommendations

1.Findings:

- a.Seasonal traffic issues on town roads are caused by increased volume not by increased speeding
- b.Pedestrian safety is an issue at crosswalks and on class 1 roads that were not built to carry seasonal traffic volumes and that do not have pathways or adequate pedestrian safety zones

2.Recommendations:

- a.Establish a legal basis for action (approve ordinance to prohibit through traffic on turn over days during the season)
- b.Based on ordinance, take action to remove cut-through routes from mapping services like MapQuest & rental company driving directions
- c.Based on ordinance, appeal to NC DOT for assistance to prohibit left turns from R 158 into E Dogwood & Juniper Trail on Saturdays and Sundays from May 15 through Sept 30

Planning Board / Planning Advisory Group

Stormwater Recommendations

1.Findings:

- a.TOSS paid \$163,811 for studies; analysis & design work is done
- b.6 problem areas identified; 5 are still pending
- c.Stormwater Committee recommendations still pending:

- Address financial support for stormwater management (CIP)
- Revise ordinance to make it more effective & more enforceable
- Develop & implement a Stormwater Management Plan

2.Recommendations:

- a.Approve the Stormwater Policy Advisory Committee recommendations from April 2007 effective immediately
- b.Develop a Stormwater Management Plan to implement the Advisory Committee recommendations
- c.Require all roads projects to comply with Stormwater Management policies effective immediately

Planning Board / Planning Advisory Group

Wireless Recommendations

1.Findings:

- a.Cellular service poor due to inadequate coverage & capacity
- b.Current ordinance does not serve either citizens or carriers
- c.Expansion of wireless infrastructure is inevitable

2.Recommendations:

- a.Adopt proposed definitions, policies & action items for wireless
- b.Town Attorney recommend zoning approach & draft an ordinance
- c.Incorporate Federal, State & Industry standards into new ordinance
- d.Planning Board and Town Council review DRAFT ordinance with a goal of holding a public hearing in September 2009
- e.Define a process for technical review of permit applications for wireless facilities when needed by year end 2009

Financial Planning Recommendations

1.Findings:

- a.Existing financial planning process does not link long-range plans and proposed projects to CIP & budgets.
- b.Prioritization of pending projects needs to be more transparent with clearly defined prioritization criteria (e.g., government mandates, public health & safety, etc.).
- c.Operating and capital budgets are developed with limited public dialog regarding how alternative tax rates and/or reserve fund policies impact project priorities and funding.

2.Recommendations:

- a.Adopt proposed Statement of Work (SOW)
- b.Develop & approve an inclusive process by year end 2009
- c.Implement new process effective January 1, 2010

Planning Board / Planning Advisory Group

Next Steps

1. Council will make its decisions by ?
2. Draft implementation plans & schedules
3. Communicate decisions, implementation plans & schedules to the community
4. Incorporate citizen feedback as appropriate
5. Proceed with implementation